

Thursday, August 11, 2016

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The following action minutes are listed as they were acted upon by the Planning Commission and as listed on the agenda for the Regular Meeting of 9:00 AM, together with the maps and staff reports attached thereto and incorporated therein by reference.

Hearings are advertised for 9:00 a.m. Hearings generally proceed in the order listed, unless changed by the Planning Commission at the meeting.

ROLL CALL:

PRESENT: Jim Irving; Kenneth Topping; James Harrison;

ABSENT: Don Campbell and Eric Meyer

COMMISSIONER IRVING SITTING AS CHAIRMAN TO THE PLANNING COMMISSION AS PER THE COMMISSIONS DISCRETION, IN THE ABSENCE OF CHAIRMAN CAMPBELL

HEARINGS: (Advertised for 9:00 a.m.)

6. A continued hearing to consider a request by PACIFIC CAMBRIA, INC. for a Development Plan / Coastal Development Permit to allow temporary events, the Cambria Christmas Market, to occur Wednesday through Sunday (and all of Christmas week) from 5 pm to 9 pm each evening for four weeks beginning the last Friday in November. The market would include temporary lighting, seasonal displays, and concession stands. Twenty-six temporary booths would be constructed for the event, and would be dismantled and removed at the conclusion of the event. The market would be located within the interior of the Cambria Pines Lodge grounds and at the adjacent Cambria Nursery. The applicant is requesting a waiver of the Coastal Zone Land Use Ordinance requirement for temporary events to be setback at least 1,000 feet from a Residential Single Family land use category. The proposed project is within the Recreation and Residential Suburban land use categories and is located at 2905 Burton Drive in the community of Cambria. The site is in the North Coast planning area. Also to be considered at the hearing is approval of the environmental determination for the item. A Class 3, 4, and 11 Categorical Exemption was issued for this project. This item was continued from July 14, 2016.

County File Number: DRC2015-00096

APN(s): 023-431-003 & 013-151-035

Supervisory District: 2

Date Accepted: May 26, 2016

Project Manager: Airlin M. Singewald

Recommendation: Approval

Airlin Singewald, Project Manager: presents staff report via a Power point presentation and reads revised Condition 14 a., 15, and 17. a. and b. into the record.

Commissioners: ask questions of staff.

Dave Watson, agent: discusses proposal.

Jim Irving: asks about the lighting plan in terms of this being entirely new with Mr. Watson responding.

Jim Irving: opens Public Comment.

Bob Putney, Dawn Putney (reads letter into the record), Claudia Worthen, and Gissell Naylor: speak.

Airlin Singewald, Project Manager: addresses Public Comment issues and reports traffic safety issues will be deferred to Public Works.

Glenn Marshall, Public Works: explains Condition 15 addresses specific requirements to put into a parking control plan and explains how this works.

Jim Irving: asks about enforcement with Mr. Marshall directing commissioners to condition 15. c. 2. referring to vehicle traffic enforcement.

Ken Topping: would like to analyze the alternative condition further as an option. Would like to know the legal noticing requirements for this proposal with Mr. Singewald responding. Receives information regarding hours of operation.

Dirk Winter, agent: explains operations hours and days are Wednesday through Sunday, until the last 4 days before Christmas.

Ken Topping: asks what the intended ticketing practice will be for the next 2 years with Mr. Winter responding.

Airlin Singewald, Project Manager: overviews the North Coast Advisory Committee (NCAC) recommendations.

Ken Topping: asks what happens if over the limitation of people show up for the event with Mr. Singewald responding.

Jim Irving: is concerned over the length of the permit and control on the cap of people in attendance and provides reasoning.

Airlin Singewald, Project Manager: explains the third option for commissioners to consider is if the applicant exceeds the 3000 cap would be justification for permit revocation through code enforcement.

Dave Watson, agent: explains how occupancy will be restricted and is amenable to providing an annual report for attendance with information on complaints, reaction to complaints, calculations for traffic, etc.

Ken Topping: would like to look at the plans for this application for clarity on the content of those plans with Mr. Singewald making them available on the overhead projector.

Airlin Singewald, Project Manager: shows the on site parking plan on the overhead. Commissioners: deliberate parking with staff and the agents.

Ken Topping: confirms the plans are an official part of the permit. Confirms if the commission approves plans they would be approving the fine print of all the plans for 5 years.

Ben Dore, County Counsel: explains these can be incorporated into the conditions of approval which the commission is considering.

Airlin Singewald, Project Manager: displays a larger scale parking site plan in order for the commissioners to read the fine print. Displays pedestrian and traffic safety plan as shown on Pg. 9 of 9 in the staff report.

Jim Irving: asks whose jurisdiction this proposal lies within with Mr. Singewald responding this is in the Coastal Commission's authority.

Ken Topping: asks if the Coastal Commission does not agree with this proposal what happens to the temporary event permit with Mr. Singewald responding.

Commissioners: discuss changes to specifics in the traffic control and pedestrian plans.

Airlin Singewald, Project Manager: revises Finding P. vi. to capture the commissioners concern to delete "Fairly minimal" and add further language. Overviews condition revisions. Revises Condition 1. e. to include Main St & Santa Rosa Creek Rd.

Ken Topping: comments on Condition 15. c. vii and it's intent on this option with Mr. Marshall explaining.

Commissioners: discuss signage; Condition 1. d. to include Santa Rosa Rd. Would like the cap on attendance to be documented throughout the 5 year permit cycle. Suggest the neighborhood be provided with this report.

Jim Irving: suggests a modification on the permit length to 3 years and provides reasoning with Comm. Topping in agreement and Comm. Harrison being against this and provides reasoning.

Airlin Singewald, Project Manager: drafts new Condition 1. h.

James Harrison: would like clarification on an evacuation plan with Mr. Winters responding.

Jim Irving: asks for exparte contacts with commissioners making their disclosures.

Airlin Singewald, Project Manager: overviews revised conditions and additions into the record, adding all parenthetical sources are to be removed after the hearing as per commissioners request.

Dirk Winters: receives clarification on the 3 year permit in terms of application after the 3rd year and the length of time it takes to process a development plan.

Commissioners: discuss changing the permit length to 4 years with Comm. Harrison feeling this should stay at 5 years and provides reasoning.

Jim Irving: supports Comm. Harrison's 5 years opinion and provides reasoning.

Ken Topping: comments on the annual review process as it relates to the 5 year permit process. Feels the commission should be involved in the annual reviews and provides reasoning.

Karen Nall, staff: explains annual reviews why annual reviews are not possible and the only time this permit would come back to the commission would be through a revocation permit.

Ben Dore, County Counsel: explains that if the permit is approved for a 5 year period the commission has no authority in that 5 year period unless this goes to a revocation hearing.

Ken Topping: would like this process formalized with Ms. Nall making suggestions.

Karen Nall, staff: explains condition compliance in terms of Comm. Topping's concern about this proposal not having an annual review by the commission.

Thereafter on **Motion by:** Ken Topping, **Second by:** James Harrison, and on the following vote:

COMMISSIONERS:	AYES:	NOES:	ABSTAIN:	RECUSE:
Harrison, James	x			
Irving, Jim	x			
Campbell, Don	x			
Meyer, Eric	x			
Topping, Ken	x			

1. The Commission approves Development Plan / Coastal Development Permit DRC2015-00096 based on the findings listed in Exhibit A, revising Finding P. v. i. deleting "fairly minimal and replacing with the word "some"; and subject to the conditions listed in Exhibit B, changing Conditions 1. d. to read: "1. d. Shuttle buses shall only use Burton Drive, Patterson Place, Highway One, Santa Rosa Creek Road, and Main St.: changing Condition 1. e. to read: "1. e. The maximum attendance on any given night shall not exceed 3,000 guests exceedance of the daily maximum attendance shall be grounds for permit revocation.; New Condition 1. h. to read: "1. h. The applicant shall provide annual reports to the Department of Planning and Building and interested parties including daily attendance statistics for each annual market"; adding new Condition 15. A. to read: "15. A. **Within 60 days of permit approval**, the applicant shall submit an application to the Department of Public Works to secure an Encroachment Permit and post a cash damage bond to provide event traffic control within the public right-of-way in accordance with County Public Improvement Standards and the California Manual of Uniform Traffic Control Devices (CA-MUTCD). The application is to include a traffic control plan prepared by a licensed civil engineer that, at a minimum, includes:

a. Restricts event parking on the following County roads:

- ii. Burton Drive
- iii. Eton Road
- iv. Martindale Street
- v. Patterson Place
- vi. Rogers Street
- vii. Yorkshire Street

viii. Wood Drive

b. Restricts parking on the vacant lots on the southeast corner of Patterson Place and Burton Drive.

c. Restricts pedestrian travel along Burton Drive

d. Contracts with the California Highway Patrol (CHP) to provide:

i. Traffic direction at the following intersections:

a. Burton Drive at Eton Road

ii. Vehicle code traffic enforcement in the neighborhoods surrounding the event site.

16. Re-numbering conditions appropriately; and adding new Condition 17. to read: **Prior to the first permitted event**, the following encroachment conditions must be completed to the satisfaction of the Director of Public Works:

b. The Burton Drive shoulder widening improvements have been either constructed or bonded. If bonded, the fronting property owner must have executed an agreement with the Director of Public Works, in a form acceptable to County Counsel, to install the improvements and must have posted a faithful performance bond for the construction of the improvements.

c. The Yorkshire Drive site access driveway improvements have been constructed.

d. An encroachment permit has been issued for the event traffic control plan.

Re-numbering conditions appropriately, and removing all parenthetical sources from document;
Adopted

Respectfully submitted,
Ramona Hedges, Secretary
San Luis Obispo County Planning Commission

Minutes approved at the xx/xx/xx Planning Commission meeting.